



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

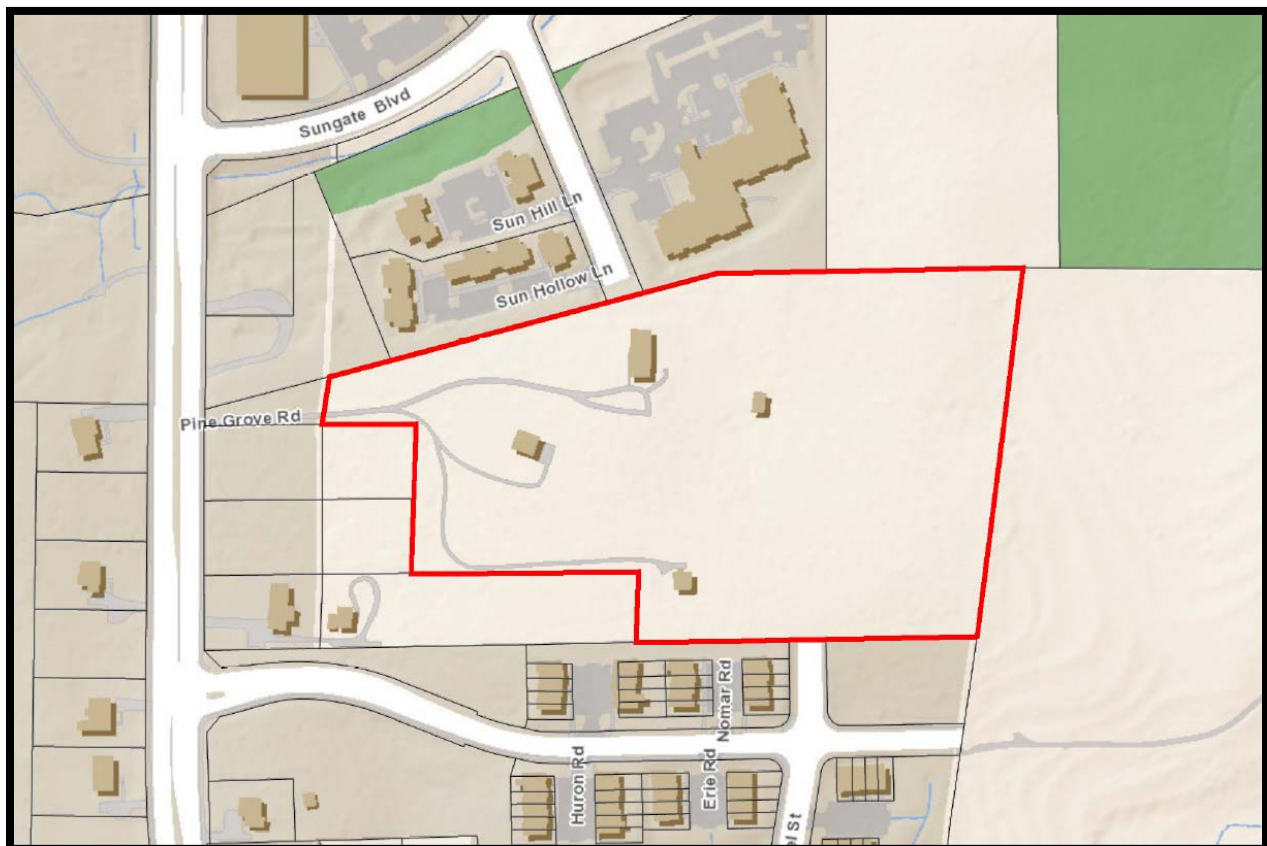
Case File: A-86-17

Property Address: 3304 Pine Grove Road

Property Owner: The North Carolina Agricultural Foundation

Project Contact: Isabel Mattox

Nature of Case: A request for requests complete relief from Section 3.2.4.F.1. of the Unified Development Ordinance which requires a minimum ground floor elevation of 2 feet above the average curb level of the adjoining street for 5 Apartment Building Type buildings in a proposed multifamily development located on an 11.24 acre tract zoned Residential Mixed Use -3-Conditional Use and located at 3304 Pine Grove Road.

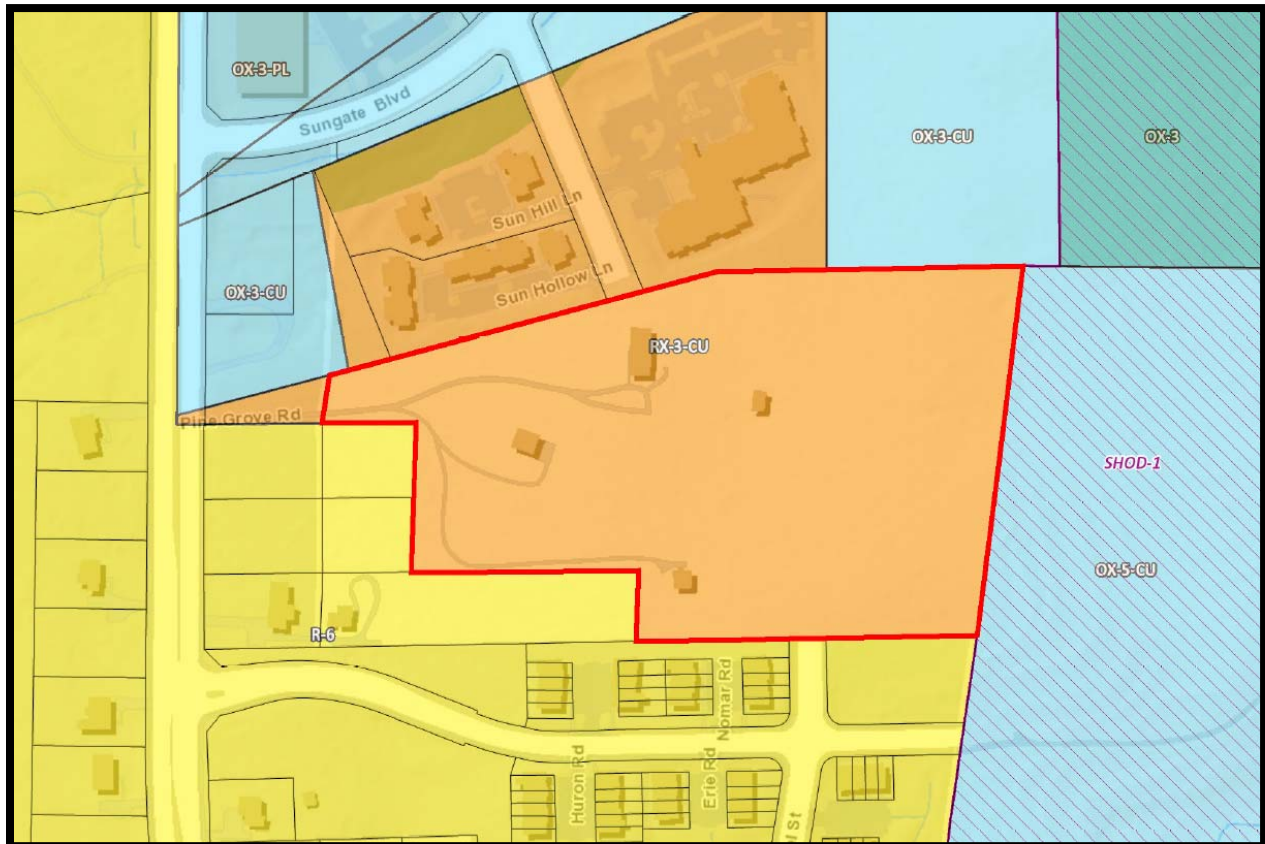


3304 Pine Grove Road – Location Map

To BOA: 7-10-17

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Residential Mixed-Use-3 Conditional Use



3304 Pine Grove Road – Zoning Map

Z-10-02 on the east side of Sunnybrook Road, approximately 97 feet south of its intersection with Sungate Boulevard. Approximately 21.52 to be rezoned from Residential-6 to Residential-20 Conditional Use.

Conditions : 2/13/02

- 1) Reimbursement for required right-of-way dedication shall remain at the current R-6 value.
- 2) Any fence constructed upon the Property parallel to and within fifty (50) feet of the right-of-way of Sunnybrook Road (as established at site plan approval) shall be seventy-five (75%) screened by plantings within five (5) years after installation of such fence or fences.
- 3) All mechanical equipment upon the Property within one hundred (100) feet of the right-of-way of Sunnybrook Road or Samuel Street (as established at site plan approval) and visible from the respective right-of-way shall be not less than seventy-five per cent (75%) screened by plantings within (5) years following installation of such mechanical equipment.
- 4) Upon development of the Property, there shall be made available to the City a transit easement fifteen (15) feet wide by twenty (20) feet in length adjacent to the right-of-way of Sunnybrook Road.
- 5) Vehicular access to the Property from Sunnybrook Road shall be limited to no more than one curb cut (with or without a median). In the event that the Property is recombined or subdivided, all resulting lots shall be provided access to Sunnybrook Road via such curb cut.
- 6) With the exception of the transit easement and the curb cut referenced in the foregoing conditions (4) and (5), upon development of the property a streetyard twenty (20) feet in width shall be provided along the right-of-way of Sunnybrook Road (as established at site plan approval). The streetyard shall be landscaped at twice the standard otherwise applicable under the City Code. Utilities and stormwater infrastructure may be installed within such streetyard. This condition shall not apply to any area within a Neuse riparian buffer required by the State of North Carolina.
- 7) Upon development of the Property, the owner shall dedicate to the City of Raleigh the greenway corridor seventy-five (75) feet in width shown upon the Property on the Comprehensive Plan along Branch Number One of Tributary E of Crabtree Creek.
- 8) No trees shall be cut upon the Property prior to the final approval of a grading plan for the Property.

VARIANCE STANDARDS: In accordance with UDO **§10.2.10 Variance**, before a variance request is granted, the Board of Adjustment shall show all of the following:

To Legalize the Existing Structure:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Sec. 3.2.4.F.1. Floor Heights

Ground Floor elevation (min) Residential: 2'

Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

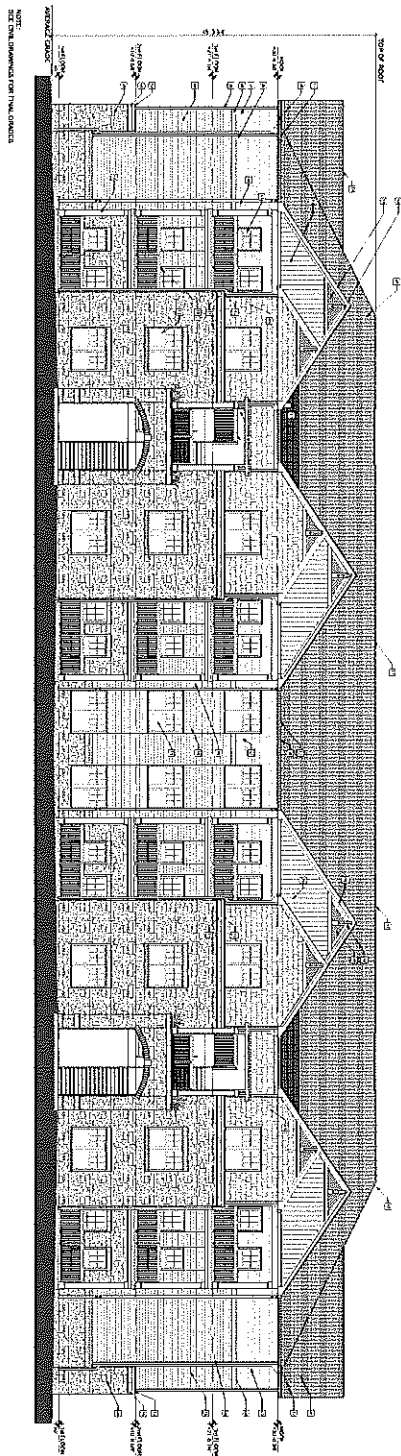
NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (if more space is needed, submit addendum on separate sheet):</p> <p>See attached Exhibit A.</p>	<p>Transaction Number</p> <p>A-86-17</p>
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p> <p>S-56-16; S-36-2013; UI-1-13; and GH-10-2013</p>	

GENERAL INFORMATION		
Property Address 3304 Pine Grove Road, Raleigh, NC 27610	Date June 9, 2017	
Property PIN 1723474286	Current Zoning RX-3-CU	
Nearest Intersection Sunnybrook Road & Winslow Ridge Drive	Property size (in acres) 11.24	
Property Owner The North Carolina Agricultural Foundation, Inc.	Phone 919-515-9259	Fax
Owner's Mailing Address NCSU Campus Box, Raleigh, NC 27695	Email kkennel@ncsu.edu	
Project Contact Person Isabel Worthy Mattox	Phone 919-828-7171	Fax 919-831-1205
Contact Person's Mailing Address PO Box 946, Raleigh, NC 27602	Email Isabel@mattoxfirm.com	
<p>Property Owner Signature By: <i>Carly Kennel</i></p> <p>Title: Assistant Secretary</p>	Email	
<p>Notary</p> <p>Sworn and subscribed before me this <u>8</u> day of</p> <p><u>June</u>, 20<u>17</u></p>	<p>Notary Signature and Seal</p> <p><i>Angela Q Lands</i></p> <p>10-24-2019</p>	

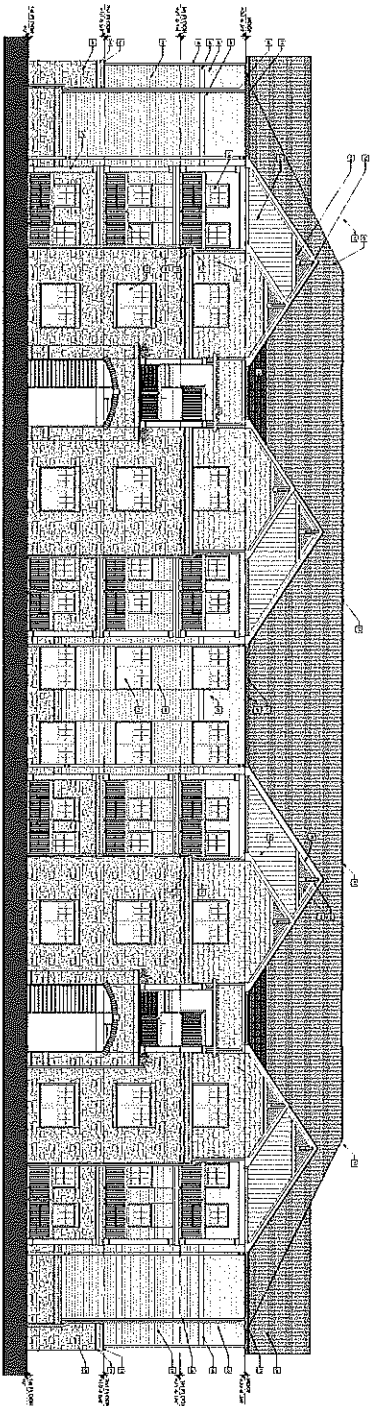
EXHIBIT A
to
Application for Variance

3304 Pine Grove Road, Raleigh, NC 27610

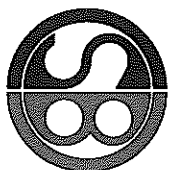
Request complete relief from UDO Requirement 3.2.4.F.1 (requiring a minimum ground floor elevation of 2 feet above the average curb level of the adjoining street) as to Buildings #4, #5, #6, #7 and #8 in a proposed multifamily development.



E1 BUILDING TYPE B FRONT ELEVATION
SCALE: 1/8" = 1'-0"



A1 BUILDING TYPE B REAR ELEVATION
SCALE: 1/8" = 1'-0"



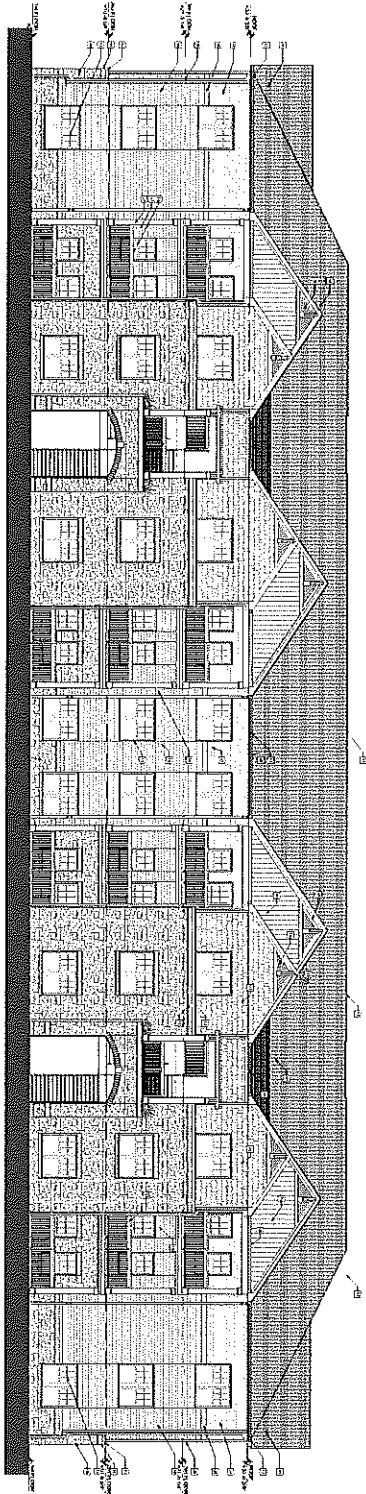
CSBO architecture p.c.
1589 Shawboro Rd Suite 102-172
High Point, NC 27665



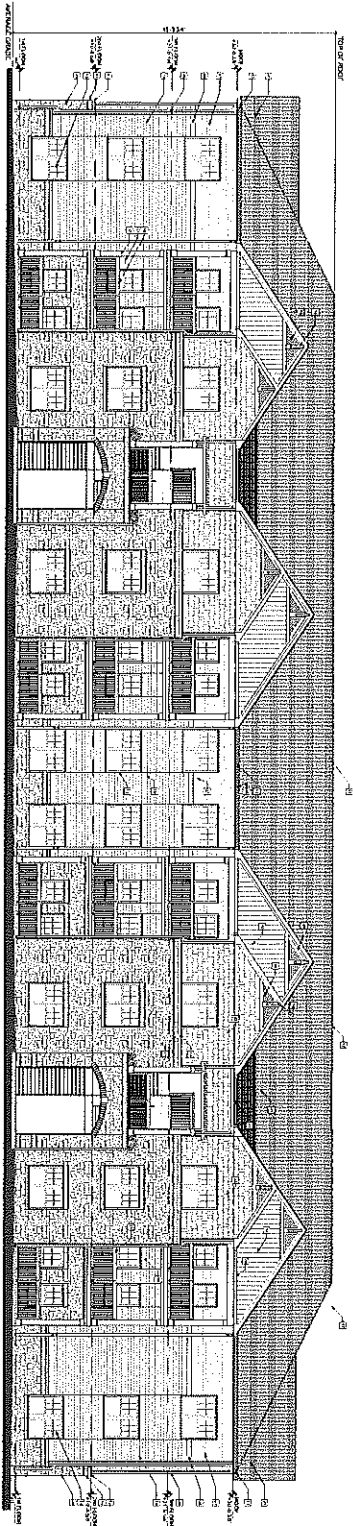
**CAROLINA PROJECT
EQUITIES, LLC**
9704 FALLS OF REESE ROAD
RALEIGH, NC 27615
NOT FOR CONSTRUCTION

**SUNNYBROOK POINTE
APARTMENTS**
413 Sunnybrook Rd, Raleigh, NC 27610

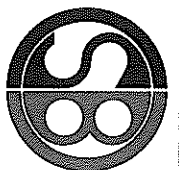
DATE: 02.24.17
DRAWN BY: JACOB
PROJECT: BUILDING TYPE B - FRONT
AND REAR ELEVATIONS
SHEET: A3.13



E1 BUILDING TYPE C FRONT ELEVATION
SCALE: 1/8" = 1'-0"



A1 BUILDING TYPE C REAR ELEVATION
SCALE: 1/8" = 1'-0"



CSBO architecture p.c.
1588 Shaw Court, Raleigh, NC 27615
919.978.1172



CAROLINA PROJECT
EQUITIES, LLC
9104 FALLS OF NEUSE ROAD
SUITE 300
RALEIGH, NC 27615
NOT FOR CONSTRUCTION

SUNNYBROOK POINTE APARTMENTS

413 Sunnybrook Rd, Raleigh, NC 27610

REVISIONS

CSBO ARCHITECTURE P.C.

DATE: 02.24.17
PROJECT: SUNNYBROOK POINTE
SHEET: A3.15
BUILDING TYPE C - FRONT AND REAR ELEVATIONS

A3.15

1723474286
NORTH CAROLINA AGR FOUNDATION, INC.
NORTH CAROLINA STATE UNIVERSITY
CAMPUS BOX 7645
RALEIGH NC 27695

1723377219
NORTH CAROLINA AGR FOUNDATION, INC.
NORTH CAROLINA STATE UNIVERSITY
CAMPUS BOX 7645
RALEIGH NC 27695

1723377336
NORTH CAROLINA AGR FOUNDATION, INC.
NORTH CAROLINA STATE UNIVERSITY
CAMPUS BOX 7645
RALEIGH NC 27695

1723377571
COMMUNITY ALTERNATIVES FOR
SUPPORTIVE ABODES
PO BOX 12545
RALEIGH NC 27605-2545

1723378197
NORTH CAROLINA AGR FOUNDATION, INC.
NORTH CAROLINA STATE UNIVERSITY
CAMPUS BOX 7645
RALEIGH NC 27695

1723378299
NORTH CAROLINA AGR FOUNDATION, INC.
NORTH CAROLINA STATE UNIVERSITY
CAMPUS BOX 7645
RALEIGH NC 27695

1723463688
WINSLOW RIDGE AT SUNNYBROOK
HOMEOWNERS ASSOCIATION
812 SALEM WOODS DR STE 202
RALEIGH NC 27615-3346

1723463828
BOYER, DELIA S
427 ALERO RD
RALEIGH NC 27610-5084

1723463921
HARRIS, LINWOOD K
6049 RICKER RD
RALEIGH NC 27610-4282

1723463923
CARR, JEANNE
428 ALERO RD
RALEIGH NC 27610-5083

1723463925
RUSSELL, DEBRA J
421 ALERO RD
RALEIGH NC 27610-5084

1723463995
RAGHAVAN, DASARATHY DASARATHY,
HEMAMALINI
1106 BLACKBURN RD
APEX NC 27502-5231

1723464809
WILSON, SHAREE MICHELLE
426 NOMAR RD
RALEIGH NC 27610-5085

1723464901
BYLOW, TIMOTHY J. BYLOW, TIFFANI M.
2000 MUIRFIELD VILLAGE WAY
RALEIGH NC 27604-6904

1723464903
EDWARDS, ANDREW E EDWARDS, BONITA
6809 BRENTWOOD DR
UPPER MARLBORO MD 20772-3938

1723465829
STEWART, KATHY M
427 NOMAR RD
RALEIGH NC 27610-5086

1723465921
ALLEN, SHEILA A
425 NOMAR RD
RALEIGH NC 27610-5086

1723465923
BERDUSCO, RAUL AGUIRRE
PO BOX 1303
MORRISVILLE NC 27560-1303

1723465925
KNIGHT, ROY L JR KNIGHT, LASHANTA C
1401 COOPERSHILL DR APT 300
RALEIGH NC 27604-4527

1723467933
WINSLOW RIDGE AT SUNNYBROOK
HOMEOWNERS ASSOCIATION
812 SALEM WOODS DR STE 202
RALEIGH NC 27615-3346

1723470095
PRICE, JACKIE P PRICE, PEGGY M
505 SUNNYBROOK RD
RALEIGH NC 27610-2850

1723470575
COMMUNITY ALTERNATIVES FOR
SUPPORTIVE ABODES CORP
PO BOX 12545
RALEIGH NC 27605-2545

1723474709
WATERBROOK APARTMENTS LLC
PO BOX 15025
WILMINGTON NC 28408-5025

1723477999
PARKS HOLDINGS LLC
PAULSON, THOMAS L TRUSTEE
PO BOX 5657
WINSTON SALEM NC 27113-5657

1723563197
NORTH CAROLINA STATE OF
STATE PROPERTY OFFICE
116 W JONES ST
RALEIGH NC 27603-1300

1723583055
CITY OF RALEIGH
PO BOX 590
RALEIGH NC 27602-0590

1723461972
Hemby, Karen A.
422 Alero Road
Raleigh, NC 27610-5083

1723461970
Pittman, Tamiah
424 Alero Road
Raleigh, NC 27610-5083

1723461878
Gaither, Alycia
426 Alero Road
Raleigh, NC 27610-5083

1723461974
Ricketts, Erol & Diana Murphy
420 Alero Road
Raleigh, NC 27610-5083